

MEETING #34 - October 7

At a Continued Meeting from the September 22, 2020 session of the Madison County Board of Supervisors on October 7, 2020 at 5:00 p.m. in the County Administration Building Auditorium located at 414 N. Main Street:

PRESENT: R. Clay Jackson, Chair
Charlotte Hoffman, Vice-Chair
Kevin McGhee, Member
Amber Foster, Vice-Chair
Carty Yowell, Member
Jack Hobbs, County Administrator
Sean Gregg, County Attorney

Call to Order/Pledge of Allegiance & Moment of Silence

Determine Presence of a Quorum/Adopt Agenda

Chairman Jackson called the meeting to order; all members are present; a quorum is established.

Supervisor Yowell moved that the Agenda be adopted as presented, seconded by Supervisor Hoffman. Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).

Public Comment

Chairman Jackson opened the floor for public comment. With no comments being brought forth, the comment opportunity was closed.

1. Budget Work session: The Madison County Board of Supervisors held a work session on the FY21 budget. The following items were brought forth for discussion:

FY21 Budget Status

1. Cash/Fund Balance position
2. Approved FY21 Budget and Supplemental Appropriations

Changes in Revenue

3. Local revenue projections
4. Status of state revenue projections (pending in the General Assembly)
5. CARES Act grants (CRF, schools, law enforcement, EMS, elections, etc.)

Changes in Operating Outlays

6. Update debt service payments vs projections prior to bond closing
7. Anticipated additional FY21 operating outlays not approved to date
8. FY21 operating outlays offset by CARES Act funding

Changes in Capital Spending

9. Review FY21 capital improvement program
10. Planned FY21 capital outlays offset by CARES Act funding
11. Outlays for major projects

Next Steps

12. Schedule vote on “second half” appropriations
13. Schedule discussion on 5-year projection presentation & updated financial policy
14. Other items

Stephanie Murray, Treasurer, was present and reported that the first quarter of revenues in the general fund is ahead by about three percent (3%) from the past year. Sources included in the report focused on:

- Transient Occupancy tax
- Meals tax
- Local sales tax
- Recordation tax
- Ambulance transport fees
- Building & Zoning fees

The Finance Director provided a chart and recommended that the 2nd half budget appropriation be initiated at the first meeting in November. The figures for CARES Act funding should be available next week. In closing, it was noted that:

- Additional purchases orders have been submitted by the EMS Department
- The Sheriff's Office has submitted an additional request
- The Town Office also plans to resubmit a funding request

At 6:27 p.m.

Board of Supervisors recessed until the 7:00 p.m.

Joint Session with the Planning Commission

2. Joint Session with Planning Commission

Chairman Jackson called the Board of Supervisors back to order (after the Planning Commission adjourned).

- A) Case No. OA-10-20-16: Amending article VII (Residential Multiple Family R3), section 7-3-3 (Maximum Building Groupings) of the zoning ordinance.

The Ordinance reads as follows:

**ORDINANCE TO AMEND APPENDIX 1 (ZONING ORDINANCE), ARTICLE 7
(RESIDENTIAL MULTIPLE FAMILY R3), SECTION 7-3-3 (MAXIMUM BUILDING
GROUPING) OF THE MADISON COUNTY CODE**

ORDINANCE #2020-16

(Case No. OA-10-20-16)

WHEREAS, the Board of Supervisors of Madison County, Virginia, finds that the following amendment to the Zoning Ordinance of Madison County, Virginia, would promote the health, safety and general welfare of Madison County, Virginia, and be in accord with the declarations of legislative intent set forth in Virginia Code Section 15.2-2200 (1950, as amended) and the Madison County Comprehensive Plan adopted on February 7, 2018;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Madison County, Virginia, that Section 7-7-3 of the Madison County Zoning Ordinance be, and it hereby is, amended to read as follows:

7-3-3 Maximum Building Grouping - Not more than eight (8) townhouses or attached dwelling units shall be included in any one grouping, and no more than eight (8) dwelling units shall be included within any multiple-family dwelling, except affordable housing ~~and/or for older persons~~ senior housing not exceeding sixty (60) dwelling units may be included within a multiple-family dwelling. The maximum frontal length of any building or structure in this zone shall not exceed two hundred (200) feet, except such maximum frontal length shall not apply to a multiple-family dwelling used as affordable housing and/or senior housing ~~for older persons~~ not exceeding sixty (60) dwelling units.

The aforesaid amendment shall be effective upon enactment.

Chairman Jackson advised that emailed correspondence has been received from:

- Mike Cashman
- Amy Jordan
- Quayne Gennaro

Comments from the Board:

- Supervisor McGhee: Questioned if there were concerns (from the Planning Commission) as to whether tonight's proposal would be the only opportunity for tonight's proposal; verbalized concerns about a site plan and what the developer is proposing.
- Supervisor Yowell: Clarified that the property being considered tonight would allow a developer to erect forty-eight (48) to sixty (60) units but they'd have to be in separate building; feels that tonight's proposal (in his opinion) is allowing the opportunity for all units to be situated in one (1) building and allowing for more green space around the area, by right. Supervisor Hoffman: Advised of being familiar with how long Carlyle Weaver has had the land being discussed; verbalized favor but has concerns about erecting a three (3) story building in place as well as concerns as to how schools will be affected with additional families coming into the locality; doesn't feel there is another favorable location for tonight's proposal to be accommodated.
- Supervisor Foster: Verbalized favor of the need to have affordable housing in Madison County.

- *Chairman Jackson: Stressed the fact that affordable housing is needed in Madison County; feels that the County has to sympathize with the residents living on Courthouse Mountain Road with all the proposed changes that are being discussed; advised of the intentions denoted in the County's Comprehensive Plan to provide affordable housing and where such housing can be situated here; noted that many of the teachers that work here live outside Madison County due to the lack of affordable housing here; verbalized favor of tonight's proposal as long as all criteria in the County's Zoning Ordinance is adhered to; feels that the proposed initiative will be an asset to Madison County; the County also has very little pedestrian traffic along Main Street - feels the proposed endeavor will help enhance such traffic to downtown Madison.*

Chairman Jackson closed the floor of the public hearing.

With no comments being received from the public, the floor of the public hearing was closed.

Supervisor McGhee moved that Ordinance ID #2020-16 [Case No. OA-10-20-16] be approved as recommended by the Planning Commission, seconded by Supervisor Foster. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

- B) Case No. OA-10-20-17: Amending article 20 (definitions) and adding a new definition codified as 20-5B to the zoning ordinance.

The Ordinance reads as follows:

**ORDINANCE TO AMEND APPENDIX 1 (ZONING ORDINANCE), ARTICLE 20
(DEFINITIONS) TO ADD A SECTION 20-5B (AFFORDABLE HOUSING) OF THE MADISON
COUNTY CODE.**

ORDINANCE #2020-17
(Case No. OA-10-20-17)

WHEREAS, the Board of Supervisors of Madison County, Virginia, finds that the following amendment to the Zoning Ordinance of Madison County, Virginia, would promote the health, safety and general welfare of Madison County, Virginia, and be in accord with the declarations of legislative intent set forth in Virginia Code Section 15.2-2200 (1950, as amended) and the Madison County Comprehensive Plan adopted on February 7, 2018;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Madison County, Virginia, that the Madison County Zoning Ordinance be, and it hereby is, amended by the addition of a Section 20-5B to read as follows:

20-5B Affordable Housing - Housing intended for sale or rent to person(s) or families earning eighty (80) percent or less of the Area Median Income as determined by the Department of Housing and Urban Development (HUD).

The aforesaid amendment shall be effective upon enactment.

Chairman Jackson opened the floor of the public hearing.

Comments from the Board - None.

Comments from the public - None.

With no comments being brought forth, the floor of the public hearing was closed.

Supervisor Yowell moved that Case No. OA-10-20-17 be approved as recommended by the Planning Commission, seconded by Supervisor Hoffman. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

- C) Case No. OA-10-20-18: Amending article 20 (definitions) and adding a new definition codified as 20-167A to the zoning ordinance.

The Ordinance reads as follows:

ORDINANCE TO AMEND APPENDIX 1 (ZONING ORDINANCE), ARTICLE 20 (DEFINITIONS) TO ADD A SECTION 20-167A (SENIOR HOUSING) OF THE MADISON COUNTY CODE.

ORDINANCE #2020-18
(Case No. OA-10-20-18)

WHEREAS, the Board of Supervisors of Madison County, Virginia, finds that the following amendment to the Zoning Ordinance of Madison County, Virginia, would promote the health, safety and general welfare of Madison County, Virginia, and be in accord with the declarations of legislative intent set forth in Virginia Code Section 15.2-2200 (1950, as amended) and the Madison County Comprehensive Plan adopted on February 7, 2018;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Madison County, Virginia, that the Madison County Zoning Ordinance be, and it hereby is, amended by the addition of a Section 20-167A to read as follows:

20-167A Senior Housing - Housing intended for sale or rent to person(s) in which one (1) owner or tenant is at minimum fifty-five (55) years of age or older.

The aforesaid amendment shall be effective upon enactment.

Chairman Jackson opened the floor of the public hearing.

Comments from the Board - None.

Comments from the public - None.

With no comments being brought forth, the floor of the public hearing was closed.

Supervisor McGhee moved that Case No. OA-10-20-18 be approved as recommended by the Planning Commission, seconded by Supervisor Foster. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

- D) Case No. OA-10-20-19: Amending article 14 (general provisions), section 14-9 (minimum off-street parking) of the zoning ordinance.

The Ordinance reads as follows:

ORDINANCE TO AMEND APPENDIX 1 (ZONING ORDINANCE), ARTICLE 14 (GENERAL PROVISIONS), SECTION 14-9 (MINIMUM OFF-STREET PARKING) OF THE MADISON COUNTY CODE.

ORDINANCE #2020-19
(Case No. OA-10-20-19)

WHEREAS, the Board of Supervisors of Madison County, Virginia, finds that the following amendment to the Zoning Ordinance of Madison County, Virginia, would promote the health, safety and general welfare of Madison County, Virginia, and be in accord with the declarations of legislative intent set forth in Virginia Code Section 15.2-2200 (1950, as amended) and the Madison County Comprehensive Plan adopted on February 7, 2018;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Madison County, Virginia, that Section 14-9 of the Madison County Zoning Ordinance be, and it hereby is, amended to read as follows:

14-9 Minimum Off-Street Parking - There shall be provided at the time of erection of any main building or at the time any main building is enlarged, or for outdoor event venues, minimum off-street parking space with adequate provisions for entrance and exit by standard sized automobile.

The aforesaid amendment shall be effective upon enactment.

Chairman Jackson opened the floor of the public hearing.

Comments from the Board: None.

Comment(s) from the public: None.

With no comments being brought forth, the floor of the public hearing was closed.

Supervisor Foster moved that Case No. OA-10-20-19 be approved as recommended by the Planning Commission, seconded by Supervisor Hoffman.

Chairman Jackson: Referred to the fact that tonight's amendments are being incorporated into a living document; accolades were given to the Planning Commission for their efforts.

Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).

- E) Case No. OA-10-20-20: Amending article 14 (general provisions), section 14-9-8 (minimum off-street parking) of the zoning ordinance.

The Ordinance reads as follows:

ORDINANCE TO AMEND APPENDIX 1 (ZONING ORDINANCE), ARTICLE 14 (GENERAL PROVISIONS), SECTION 14-9-8 (MINIMUM OFF-STREET PARKING) OF THE MADISON COUNTY CODE.

ORDINANCE #2020-20
(Case No. OA-10-20-20)

WHEREAS, the Board of Supervisors of Madison County, Virginia, finds that the following amendment to the Zoning Ordinance of Madison County, Virginia, would promote the health, safety and general welfare of Madison County, Virginia, and be in accord with the declarations of legislative intent set forth in Virginia Code Section 15.2-2200 (1950, as amended) and the Madison County Comprehensive Plan adopted on February 7, 2018;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Madison County, Virginia, that Section 14-9-8 of the Madison County Zoning Ordinance be, and it hereby is, amended to read as follows:

14-9-8 For Churches, school auditoriums, theaters, general auditoriums, stadiums, event venues and other similar places of assembly, there shall be provided at least one (1) off street parking space for every four (4) fixed seats, based on the maximum seating capacity in the main place of assembly for the building. For assembly halls without fixed seats, there shall be provided one (1) parking space for each one hundred (100) feet of gross floor area. For outdoor event venues without fixed seating, there shall be provided sufficient parking for customers/visitors and staff members or owner(s). Parking on public roads and their right of ways is prohibited.

The aforesaid amendment shall be effective upon enactment.

Chairman Jackson opened the floor of the public hearing.

Comments from the Board: None.

Comment(s) from the public:

With no comments being brought forth, the floor of the public hearing was closed.

Supervisor Hoffman moved that Case No. OA-10-20-20 be approved as recommended by the Planning Commission, seconded by Supervisor McGhee. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

Other Board Matters

3. Consideration of a Revised Codification Ordinance (Ordinance ID #2020-15 (Revision #1): The County Administrator provided a brief overview regarding the need to adopt today's revision to Ordinance ID #2020-15, as recommended by representatives at MuniCode, Inc., due to an oversight regarding the Flood Plain Ordinance [ID #2020-13].

Supervisor Yowell moved to approve Ordinance ID #2020-15 (Revision 1) [An Ordinance to Adjust the Following sections of the Codification Ordinances Prepared by MuniCode and to Correct Scrivener Errors in the September 22, 2020 Ordinance], seconded by Supervisor Foster. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

ORDINANCE # 2020-15 (Revision 1)

An ordinance to adjust the following sections of the codification of ordinances prepared by MuniCode and to correct scrivener errors in the September 22, 2020 ordinance:

- 1. Sec. 1-2 Definitions and rules of construction.**
- 2. Sec. 1-13 Copies of Code and supplements to be made available for public inspection.**
- 3. Sec. 2-25 Review of criminal history record information of applicants for County employment.**
- 4. Sec. 4-23 Permit required.**
- 5. Chapter 8 Buildings and building regulation (deletion of all MuniCode Chapter 8 text)**
- 6. Chapter 8 Buildings and building regulation (insertion of a replacement Chapter 8)**
- 7. Sec. 14-27 Procedures for plan review and administration.**
- 8. Sec. 14-28 Preconstruction conference.**
- 9. Sec. 14-30 Approval, expiration and extension.**
- 10. Sec. 24-31 Protocol concerning delinquent payments.**
- 11. Sec. 24-279 Court security fee**
- 12. Appendix 1, Article 11 Flood Protection.**

BE IT ORDAINED by the Madison County Board of Supervisors that various sections of the Madison County Code are amended as follows:

Section	Page	Amendment Text
1	CD1:3	Sec. 1-2. Definitions and rules of construction. <i>Health Officer.</i> The term "Health Officer" means the Public Health Officer of the County or representative of the State Board of Health <u>any duly appointed representative of the State Health Commissioner at the Virginia Department of Health</u> serving the County.
2	CD1:7	Sec. 1-13. Copies of Code and supplements to be made available for public inspection. At least three copies <u>one copy</u> and every supplement thereto shall be kept in the office of the County Administrator and shall be available for public inspection, during normal business hours.
3	CD2:5	Sec. 2-25. Review of criminal history record information of applicants for County employment. 1.The County Administrator or his designee shall, in the interest of public welfare and safety, conduct investigations of all applicants to whom a conditional offer of employment is made to determine if the past criminal conduct of an applicant with a conviction record would be compatible with the nature of the employment under consideration, in accordance with Virginia Code § 15.2-1505.1, as amended. 2.Except as set forth in (c) below, the County Administrator or his designee shall require such applicants to submit to fingerprinting and provide personal descriptive information to be forwarded along with the applicant's fingerprints through the central criminal records exchange and the Federal Bureau of Investigation for the purpose of obtaining criminal

		<p>history record information.</p> <p>3.Applicants for the position of Officer of Election with the County's Office of the General Registrar shall not be required to submit to fingerprinting but shall be required to provide personal descriptive information to be forwarded through the central criminal records exchange for the purpose of obtaining criminal history record information.</p> <p>4.Criminal history record information shall be confidential.</p> <p>5.If an applicant is denied employment because of information appearing in his criminal history record, the County Administrator or designee shall notify the applicant that information obtained from the central criminal records exchange contributed to such denial.</p> <p>(Ord. No. 2019-14, 11-26-20162019)</p>
4	CD4:3	<p>Sec. 4-23. Permit required.</p> <p>No person shall stage, promote, or conduct any music or entertainment festival in the unincorporated areas of the County <u>and not-or</u> on lands owned by the County, the County School Board, the County Parks and Recreation Authority, the State, or the United States of America, unless there shall first be obtained a permit from the Board of Supervisors a special entertainment permit for such festival.</p>
5	CD8:1- CD8:6	<i>Repeal Sec. 8-1 through 8-75 in their entirety (all of Chapter 8 in the MuniCode codification document)</i>
6	New sheets in CD8	<p><u>8-1. Short Title</u></p> <p><u>This ordinance may be known and referred to as the Madison County Building Code.</u></p> <p><u>8-2. Adoption</u></p> <p><u>(a) The Virginia Uniform Statewide Building Code, Part I and Part II, and future revisions or amendments thereof, are hereby adopted and incorporated, as a part hereof to the 7same extent as if set out herein at length, and shall control a8ll matters concerning the construction, rehabilitation or repair of new or existing structures;</u></p> <p><u>(b) Chapters 1, 2, and 3 of Part III of the Virginia Uniform Statewide Building Code, and future revisions or amendments thereof, are hereby adopted and incorporated as a part hereof, to the same extent as if set out herein at length, and shall be adopted for the following purposes for the portions of Madison County that are not located within the Town of Madison:</u></p> <p><u>(1) the maintenance or razing of unoccupied, unsafe buildings and structures when the Code Official receives a complaint that alleges a violation of the Madison County Building Code; and</u></p> <p><u>(2) the procedures for the administration and enforcement of the provisions adopted herein; provided, the Code Official shall only enforce the provisions of Chapters 1, 2, and 3 of Part III, of the Virginia Uniform Statewide Building Code, concerning buildings and structures deemed by the Code Official to be unoccupied and unsafe, except as provided in Section Four of this ordinance.</u></p>

(c) Section 15.2-906 of the Virginia Code, and any future revisions or amendments thereof, is hereby adopted and incorporated as a part hereof, to the same extent as if set out herein at length for the portions of Madison County that are not located within the Town of Madison.

8-3. Enforcement

(a) The Building Department is hereby designated to act as the enforcing agency for the enforcement of the provisions of the Virginia Uniform Statewide Building Code, Parts I, II, and for the portions of Madison County that are not located within the Town of Madison Chapters 1, 2, and 3 of Part III, as promulgated by the Virginia Board of Housing and Community Development under authority of §§ 36-99, 36-103 and 36-105 of the Code of Virginia, and any future revisions or amendments thereof.

(b) A copy of the Virginia Uniform Statewide Building Code shall be maintained on file in the Department of Planning and Community Development.

8-4. General Requirements

In addition to adopting the Virginia Uniform Statewide Building Code, Part III, as cited in Section 8-1 above, the following provision is hereby adopted and incorporated as part of this ordinance:

(a) Swimming pools shall be maintained in a clean and sanitary condition, and in good repair. All swimming pools, reported to the Code Official, shall be subject to the barrier maintenance requirements of Section 303 of Chapter 3 of Part III of the Virginia Uniform Statewide Building Code, regardless of property occupancy. Improperly maintained barriers shall be cited as *unsafe* as cited in this Code.

8-5. Appeals

The Board of Building Code Appeals is hereby designated as the appeals board to hear appeals arising from the application of the provisions of this chapter.

8-6. Administrative Practices

The Building Official shall establish such procedures or requirements as may be necessary for administration and enforcement of this ordinance.

8-7. Severability

Should any provision of this ordinance be declared by the courts unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

7

CD14:9

Sec. 14-27. Procedures for plan review and administration.

(a) *Plan review.*

		<p>(1) All final plans shall be approved by the County's Plan-Approving Authority, after recommendation by the County's Certified Program Reviewer, which is the Commonwealth of Virginia Department of Environmental Quality, for purposes of this Article.</p> <p>(2) In reviewing plans, the plan-approving authority and the district may seek or receive recommendations or comments from the State Division of Environmental Quality, the State Department of Transportation, the Health Department and such other agencies that are deemed to have some responsibility in this area.</p> <p>(3) The preparation and submission of an erosion and sediment control plan to be administered shall be the responsibility of the owner, lessee, or duly authorized agent of either the owner or lessee.</p> <p>(4) In determining the adequacy of the plan, the Certified Plan Reviewer shall be guided by the recommendations contained in the Virginia Erosion and Sediment Control Handbook and/or the Virginia Erosion and Sediment Control Regulations.</p> <p>(b) <i>Performance guarantees.</i> The plan-approving authority, as a condition of approval of any erosion and sediment control plan, may require of the applicant a reasonable performance bond with surety, cash escrow, letter of credit, or combination thereof, or such other legal arrangement as is acceptable to the plan-approving authority to ensure that measures could be taken by the County at the expense of the person conducting the land disturbing activity should he fail, after proper notice, within the time specified to initiate or maintain appropriate conservation action which may be required of him in order to be in compliance with this article.</p> <p>(1) If the County takes such measures upon such failure by the person conducting the land disturbing activity and the costs of required corrective action exceed the security held, the County Board of Supervisors may collect from such person the difference between the cost of the corrective action required and the amount of security held.</p> <p>(2) Within 60 days of the achievement of adequate stabilization of the land disturbing activity, such bond, cash escrow, letter of credit or other legal arrangement, or the unexpended or unobligated portion thereof, shall be refunded by the plan-approving authority to the owner or his agent or terminated, as the case may be.</p> <p>(3) The amount of performance guarantee shall be set by the plan-approving authority in accordance with-Code of Virginia, § 62.1-44.15:57.</p> <p style="text-align: right;">(Ord. No. 2014-7, § 9, 7-1-2014)</p>
8	CD14-10	<p>Sec. 14-28. Preconstruction conference.</p> <p>No land disturbing activity under an approved erosion and sediment control plan shall commence until the owner and/or his agent has met with the Administrator and/or his agent on site for a preconstruction conference to review the requirements of said plan. The owner or his agent may request a preconstruction conference at any time after the plan is approved, and the Administrator and/or his agent shall schedule such conference within 15 days of such request. The requirement for a preconstruction conference may be waived by the County Administrator or his agent at the time the plan is approved.</p>

		(Ord. No. 2014-7, § 10, 7-1-2014)
9	CD14-11	<p>Sec. 14-30. Approval, expiration and extension.</p> <p>Approval of an Erosion and Sediment Control Plan under the provisions of this Article shall expire 12 months after the date of such approval. A single one-year extension may be granted by the County Board of Supervisors <u>Administrator or his agent</u> upon a written request by the applicant to the Administrator. Such request shall be made no more than 60 days, nor less than 30 days before the expiration date of the approved Erosion and Sediment Control Plan. The Administrator <u>or his agent</u> shall acknowledge the request upon receipt, and the <u>Administrator or his agent</u> County Board of Supervisors shall make a decision on the requested extension within 30 days of the request receipt. If such extension is granted, the <u>Administrator or his agent</u> County Board of Supervisors may require that performance guarantees as set forth herein be given or extended by the applicant as a condition of the extension approval.</p> <p>(Ord. No. 2014-7, § 12, 7-1-2014)</p>
10	CD24:9	<p>Sec. 24-31. Protocol concerning delinquent payments.</p> <p>If on June <u>April</u> 1 of any year the taxes for any prior year on any parcel of real property which has a special assessment as provided for in this Article are delinquent, the Treasurer of the County shall send notice of that fact and the general provisions of Code of Virginia, § 58.1-3235, as amended, to the property owner by first class mail. If after sending such notice, such delinquent taxes remain unpaid on November <u>June</u> 1, the Treasurer shall notify the Commissioner of Revenue of the County who shall remove such parcel from the land use program.</p> <p>(<u>Code of Virginia §58.1-3235</u>, Ord. of 6-9-1987(01), § 5)</p>
11	CD24:24	<p><u>Sec. 24-279. Court security fee.</u></p> <p><u>A fee of twenty dollars (\$20.00) is imposed as part of the costs in each criminal and traffic case in the Madison County General District Court and Madison County Circuit Court in which the defendant is convicted of the violation of any statute or ordinance. This fee shall be collected by the Clerk of the Court in which the case is heard, remitted to the Madison County Treasurer, and held by the Madison County Treasurer subject to appropriation from the Madison County Board of Supervisors to the Madison County Sheriff to fund the cost of courthouse security personnel.</u></p> <p>(<u>Ord. No. 2020-12, 6-23-2020, effective July 1, 2020</u>)</p>

12. BE IT FURTHER ORDAINED that **Appendix 1, Article 11 (Floodplain Protection)** is hereby amended to read as per the provisions of Ordinance# 2020-13 that was adopted on August 5, 2020 and became effective on September 18, 2020, said amendment having the effect of amending and updating the flood protection provisions of the Zoning Ordinance. (Reference page CDA1:40)

Adopted this 7th day of October, 2020.

4. Preview of October 13 Board Agenda

Items mentioned included:

- MOU with the Madison County Volunteer Rescue Squad
- Leather's Lane Concerns
- Consent Agenda Items

- Applications for IDA Board Vacancies (2)
- Rapidan Services Authority Board Vacancy (upcoming)
- County Administration Procurement & Recommendation
- Financial Software Project
- Various County-funded items
- County Vacancies (Accounts Payable Technician, Deputy EMS Chief/Lieutenant, etc.)
- Report to be provided on Economic Development Grant Opportunity
- Report on status of CARES Act Funding
- Timing of Board Meetings & Actions through the end of 2020 & Pre-budget Planning Sessions
- Animal Shelter Policy

Information/Correspondence

Swinging Bridges: The County Administrator was asked to request that Carrie Shephard from VDOT to attend a Board meeting to discuss Criglersville Swinging Bridge maintenance/replacement issue at the first regular meeting Session.

Public Comment - None.

1. Closed Session

Supervisor Hoffman moved that the Board convene in a closed session pursuant to Virginia Code Section:

1. 2.2-3711(A)(1) [Personnel] for discussion on the assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of the County Administrator and the County Attorney,

2. 2.2-3711(A)(5) [Economic Development] for discussion concerning and expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in Madison County; and

3. 3.3-2711 (A)(29) [Negotiation] for discussion of the award of a public contract for a public safety radio antenna tower site involving the expenditure of public funds and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board, seconded by Supervisor Foster. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

Supervisor Hoffman moved that the Board re-convene in open session, seconded by Supervisor Foster. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0)*

Supervisor Hoffman moved to certify by roll-call vote that only matter lawfully exempted from open meeting requirements pursuant to Virginia Code Sections 2.2-3711(A)(1, 5 & 29) and that only matters that were identified in the motion to convene in a closed session were heard, discussed, or considered in the closed meeting, seconded by Supervisor McGhee. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0)*

No action was taken as a result of closed session

Adjourn

With no further action being required, on motion of Supervisor Foster, seconded by Supervisor Hoffman, Chairman Jackson adjourned the meeting. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

R. Clay Jackson, Chairman
Madison County Board of Supervisors

Clerk of the Board of the Madison County Board of Supervisors
Copies: Board of Supervisors, County Attorney & Constitutional Officers
Adopted on: October 13, 2020

Agenda
Board of Supervisors Meeting
Wednesday, October 7, 2020 at 5:00 PM
County Administration Building Auditorium
414 N. Main Street, Madison, Virginia 22727

Call to Order, Pledge of Allegiance & Moment of Silence

Determine Presence of a Quorum / Adopt Agenda

Public Comment

1. Budget Work session

2. Joint Session with Planning Commission (7:00 PM)

A) Case No. OA-10-20-16: Amending article VII (Residential Multiple Family R3), section 7-3-3 (Maximum Building Groupings) of the zoning ordinance. Proposed additions to this section of the ordinance are **bolded** and deletions are underlined:

7-3-3 Maximum Building Grouping - Not more than eight (8) townhouses or attached dwelling units shall be included in any one grouping, and no more than eight (8) dwelling units shall be included within any multiple-family dwelling, except **affordable** housing **and/or** for older persons **senior housing** not exceeding sixty (60) dwelling units may be included within a multiple-family dwelling. The maximum frontal length of any building or structure in this zone shall not exceed two hundred (200) feet, except such maximum frontal length shall not apply to a multiple-family dwelling used as **affordable** housing and/or **senior housing** for older persons not exceeding sixty (60) dwelling units.

B) Case No. OA-10-20-17: Amending article 20 (definitions) and adding a new definition codified as 20-5B to the zoning ordinance. This proposed definition would read as follows:

20-5B Affordable Housing – Housing intended for sale or rent to person(s) or families earning eighty (80) percent or less of the Area Median Income as determined by the Department of Housing and Urban Development (HUD).

C) Case No. OA-10-20-18: Amending article 20 (definitions) and adding a new definition codified as 20-167A to the zoning ordinance. This proposed definition would read as follows:

20-167A Senior Housing – Housing intended for sale or rent to person(s) in which one (1) owner or tenant is at minimum fifty-five (55) years of age or older.

D) Case No. OA-10-20-19: Amending article 14 (general provisions), section 14-9 (minimum off-street parking) of the zoning ordinance. Proposed additions to this section of the ordinance are **bolded**:

14-9 Minimum Off-Street Parking - There shall be provided at the time of erection of any main building or at the time any main building is enlarged, **or for outdoor event venues**, minimum off-street parking space with adequate provisions for entrance and exit by standard sized automobile.

E) **Case No. OA-10-20-20:** Amending article 14 (general provisions), section 14-9-8 (minimum off-street parking) of the zoning ordinance. Proposed additions to this section of the ordinance are **bolded**:

14-9-8 For Churches, school auditoriums, theaters, general auditoriums, stadiums, **event venues** and other similar places of an assembly, there shall be provided at least one (1) off-street parking space for every four (4) fixed seats, based on the maximum seating capacity in the main place of assembly for the building. For assembly halls without fixed seats, there shall be provided one (1) parking space for each one hundred (100) feet of gross floor area. **For outdoor event venues without fixed seating**, there shall be provided sufficient parking for customers/visitors and staff members or owner(s). Parking on public roads and their right of ways is prohibited.

Other Board Matters

3. Consideration of a Revised Codification Ordinance (Hobbs)

4. Preview of October 13 Board Agenda (Hobbs)

Information/Correspondence

Public Comment

5. Closed Session (Personnel)

Adjourn